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DIVISION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

DEC 20 PM 4:07

In re the provisional application of: Manual J. Ramos, et al. Docket No.: 28951.5292  
Serial No. 10/602,640  
Filed : June 24, 2003  
For: SEMICONDUCTOR DEVICE

United States Patent and Trademark Office  
Customer Service Window  
Randolph Building  
401 Dulany Street  
Alexandria VA 22314

**REQUEST FOR REFUND**

Applicants and their undersigned attorneys hereby request refund of the \$910 amount which the PTO was authorized to charge Deposit Account No. 19-4293 by the documents entitled REQUEST FOR CONTINUED EXAMINATION (RCE) and PETITION FOR EXTENSION OF TIME UNDER 37 CFR 1.136(a) filed September 15, 2006. refund may be credited to that Deposit Account No. 19-4293.

The facts are as follows: On September 15, 2006, applicant filed a Request for Continued Examination with a Petition for One Month Extension of Time, said filing authorizing the RCE fee of \$790.00 and Extension of Time fee of \$120.00 to be charged to Deposit Account No. 19-4293. The USPTO charged Deposit Account No. 19-4293 the RCE fee of \$790.00 and Extension of Time fee of \$120.00 on September 19, 2006. On September 21, 2006, the USPTO again charged Deposit Account No. 19-4293 the RCE fee of \$790.00 and Extension of Time fee of \$120.00.

If deemed necessary, this request may be considered a petition under 37 CFR 1.181 et seq., and the fee therefore charged to Deposit Account No. 19-4293. However, applicant believes that no such fee should be so charged, and if such a fee is charged by the PTO, applicant hereby requests that such fee be refunded in view of the facts of this case.

Respectfully submitted,



Roger W. Parkhurst, Reg. No. 25,177  
Tyson Y. Winarski, Reg. No. 41,381

Date: December 18, 2006

**Customer Number: 27890**  
**STEPTOE & JOHNSON LLP**  
1330 Connecticut Ave., NW  
Washington, DC 20036  
Tel: 202-429-3000  
Fax: 202-429-3902

RWP/TYW:mn1

SEP 20 2006

PTO/RS/00 (07-05)

Approved for use through 09/30/2006. OMB 0951-0031  
U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

Under the Patent Reduction Act of 1992, an applicant who requests a certificate of information shall be considered a small business.

**Request  
for  
Continued Examination (RCE)  
Transmittal**Address to:  
Mail Stop RCE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Application Number 10602640

Filing Date June 25, 2003

First Named Inventor Adnanu S. OMAMURA

Art Unit 2161

Examiner Name William M. Tread

Attorney Docket Number 20051.0282

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application. Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. **(Submission required under 37 CFR 1.114)** Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).

- a. ☒ Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.

- i. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_  
ii. ☒ Other Amendment filed August 16, 2006; IDS filed July 21, 2006

- b. ☐ Enclosed

- i. ☐ Amendment/Reply  
ii. ☐ Information Disclosure Statement (IDS)  
iii. ☐ Affidavit(s)/Declaration(s)  
iv. ☐ Other \_\_\_\_\_

2. **Miscellaneous**

- a. ☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)  
b. ☐ Other \_\_\_\_\_

3. **Fees** The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.

- a. ☒ The Director is hereby authorized to charge the following fees, any underpayment of fees, or credit any overpayments, to Deposit Account No. 19-4283. I have enclosed a duplicate copy of this sheet.

- i. ☒ RCE fee required under 37 CFR 1.17(e)  
ii. ☒ Extension of time fee (37 CFR 1.133 and 1.17)  
iii. ☐ Other \_\_\_\_\_

- b. ☐ Check in the amount of \$ \_\_\_\_\_ enclosed

- c. ☐ Payment by credit card (Form PTO-2038 enclosed)

**WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED**

Signature	<i>Tyson Y. Winarski</i>	Date	September 15, 2006
Name (Print/Type)	Tyson Y. Winarski	Registration No.	41,981

**CERTIFICATE OF MAILING OR TRANSMISSION**

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450 or feasible transmitted to the U.S. Patent and Trademark Office on the date shown below.

Signature	<i>Tyson Y. Winarski</i>	Date	September 15, 2006
Name (Print/Type)	Tyson Y. Winarski		

This collection of information is required by 37 CFR 1.114. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-3199 and select option 2.

PAGE 45 \* RCVD AT 9/20/2006 9:17:07 AM [Eastern Daylight Time] \* SVR:USPTO-EF/XRF-444 \* DNIS:2738300 \* CSID: \* DURATION (mm:ss):01:38

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